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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kohlstrand

Serial No: 09/683,145

Filed: 11/21/01

Title: A METHOD AND AN ASSEMBLY FOR DETERMINING THE EXISTENCE AND SIZE OF A GAP

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

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☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile to the Patent and Trademark Office.

*Sandra M. Lewis*  
Signature

Date: 11/17/03

MAIL STOP Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Va 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The following sections are being submitted for this Information Disclosure Statement:

Sections:

1. Preliminary Statements
2. Statement as to Information Not Found in Patents or Publications

3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
4. Cumulative Patents or Publications
5. Copies of Listed Information Items Accompanying This Statement
6. Concise Explanation of Non-English Language Listed Information Items
  - A. EPO Search Report
  - B. English Language Version of EPO Search Report
  - C. Explanation
7. Identification of Time of Filing This Information Disclosure Statement
8. Identification of Information Disclosure Statement For Which This Statement is Being Made
9. Certification
10. Fee Payment
11. Identification of Person(s) Making This Information Disclosure Statement
12. Translation(s) of Non-English Language Documents

**Attachment:**

FORMS PTO/SB/08A and/or 08B

**Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g) ), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 2. Statement as to Information Not Found in Patents or Publications**  
(FORMS PTO/SB/08A and/or 08B)

☒ None

☐ Statement:

**Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

☐ This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application SN.: \_\_\_\_\_ filed on \_\_\_\_\_.

☐ This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior

application SN.: \_\_\_\_\_ filed on \_\_\_\_\_.

- ☐ The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

**Section 4. Cumulative Patents or Publications**

**STATEMENT**

- ☐ \_\_\_\_\_ is cumulative of the following patents or publications listed on Forms PTO/SB/08A and/or 08B:
- ☐ In accordance with 37 C.F.R. 1.98(c), a copy of only \_\_\_\_\_ is being submitted with this Information Disclosure Statement.

**Section 5. Copies of Listed Information Items Accompanying This Statement**

- ☒ Legible copies of all items listed in Form PTO/SB/08A and/or 08B accompany this information statement.
- ☐ Exception(s) to above:
- A. ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 3.
- B. ☐ Cumulative patents or publications identified in Section 4.

**Section 6. Concise Explanation of Non-English Language Listed Information Items**

The relevance with respect to the following citations is submitted on the basis of the accompanying:

**(check the appropriate item)**

- A. ☒ EPO search report that is in the English language,
- B. ☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report, that issued on the corresponding European patent application.
- C. ☐ Explanation:

**Section 7. Identification of Time Of Filing This Information Disclosure Statement**

- ☒ The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but before the mailing date of either:

- (1) a final action under § 1.113 or

(2) a notice of allowance under § 1.311,  
whichever occurs first.

**Section 8. Identification Of Information Disclosure Statement  
For Which This Statement Is Being Made**

This statement is being made for the Information Disclosure Statement

- ☒ accompanying this statement.  
☐ filed \_\_\_\_\_.

**Section 9. Certification**

I, the person(s) signing below state:

- ☒ that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(1) .

**OR**

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(2) .

**Section 10. Fee Payment**

Applicant elects the option to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c).

- ☒ Charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505. A duplicate copy of this sheet is enclosed.

**Section 11. Identification Of Person Making This Statement**

The person making this statement is the attorney who signs below on the basis of the information:

**(check each applicable item)**

- ☐ supplied by the inventor(s).  
☒ supplied by an individual associated with the filing and prosecution of this application. (37

☐ in the practitioner's file.

**Section 12. Translation(s) of Non-English Language Documents**

- ☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:
- ☒ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.
- ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b) .

Respectfully submitted,



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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet of

**Complete if Known**

Application Number	09/683,145
Filing Date	11/21/01
Applicants	Kohlstrand
Group Art Unit	
Examiner Name	
Attorney Docket Number	201-0251

#### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

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EXAMINER

DATE CONSIDERED

**EXAMINER** \_\_\_\_\_ **DATE CONSIDERED** \_\_\_\_\_

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.